

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ERIC JOHNSON,

Plaintiff,

-v-

RAY TENNYSON et al.,

Defendants.
-----X

22-CV-5683 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:


On September 21, 2022, counsel for Defendants, Evan W. Talley, filed a motion to withdraw as Defendants' counsel. *See* ECF No. 23. By **September 23, 2022**, Defense counsel shall serve (1) the motion and any supporting documents and (2) a copy of this Order on his clients, and by **September 26, 2022**, file proof of such service on the docket. *See* S.D.N.Y. Local Rule 1.4.

Any opposition to the motion to withdraw (by Plaintiff or Defendants) shall be filed by **September 29, 2022**; any reply shall be filed by **October 4, 2022**. Unless and until the Court grants the motion, Evan Talley remains counsel of record, and the case shall proceed as scheduled. If Defendants have secured new counsel, new counsel shall promptly enter a notice of appearance to ensure a smooth transition of counsel in the event that the motion to withdraw is granted. Further, Defendants are warned that a corporate entity, including an LLC, may appear in federal court only through counsel. *See Lattanzio v. COMTA*, 481 F.3d 137, 140 (2d Cir. 2007). Accordingly, if new counsel fails to appear on behalf of Ray Tennyson LLC and Amazing Paint Party LLC, default judgment may be entered against them. *See, e.g., Grace v. Bank Leumi Tr. Co. of N.Y.*, 443 F.3d 180, 192 (2d Cir. 2006).

Finally, the initial pretrial conference currently scheduled for October 3, 2022, is hereby ADJOURNED to **November 7, 2022, at 3:15 p.m.**

SO ORDERED.

Dated: September 22, 2022
New York, New York



JESSE M. FURMAN
United States District Judge